

MINUTES

REYNOLDSBURG BOARD OF ZONING AND BUILDING APPEALS SEPTEMBER 17, 2009 6:30 P.M.

A. CALL TO ORDER

1. ROLL CALL

Members Present:	Mr. Lucas Haire Mr. Duane White Mr. Chris Long Mr. Norman Brusk Mr. Patrick Feeney
Others Present:	Mr. Aaron Domini, Planning Administrator

2. APPROVAL OF MINUTES OF AUGUST 20TH MEETING

Chairman Feeney: Are there any additions, deletions?

Mr. Domini: No changes.

Mr. Feeney: No changes. Will stand approved. Did we get the minutes for July?

Mr. Domini: I don't think we sent them out again, so we're going to have to go in next packet. I apologize.

Mr. Feeney: Okay. Not a problem.

3. APPROVAL OF AGENDA

Mr. Feeney: I understand there's a change to the agenda?

Mr. Domini: Yes. I added Item C-1 which is an appeal of a zoning certificate for 7841 Priestly Drive for a fence permit. The other items fall in after that C-2 for the major site plan, C-3, C-4 on schools.

Mr. Feeney: All right. So we'll approve the agenda as amended. Do we vote on that or is that? Okay.

Mr. Haire: I move that we amend the agenda as Aaron presented.

Mr. Long: I'll second that.

(Mr. Domini called the roll. Mr. White voted "yes." Mr. Long voted "yes." Mr. Brusk voted "yes." Mr. Feeney voted "yes." Mr. Haire voted "yes.")

Mr. Feeney: Make a note that Mr. Brusk is here.

4. SWEARING IN OF SPEAKERS

(Mr. Feeney administers the oath.)

5. PUBLIC COMMENT

Mr. Feeney: Is there any public comment other than what we're going to be talking about tonight on the agenda? (No response.) Seeing none, we'll move on to Item B, Unfinished Business.

B. UNFINISHED BUSINESS

Mr. Feeney: We have none on the agenda and I remember none, so we'll move right on to Item C-1.

C. NEW BUSINESS

1. ZONING CERTIFICATE APPEAL FOR 7841 PRIESTLY DRIVE, REYNOLDSBURG, OHIO; PRESENT ZONING R3, PRESENT USE, SINGLE FAMILY RESIDENTIAL; PRESENT OWNER, JOHN GREBB; APPLICATION 292-ZF.

Mr. Domini: A little background on this application is that the property owner, who is with us tonight, presented this fence application to myself and I noticed there's a drainage easement as part of this lot. And my typical, I guess, standard protocol is to contact the Water Waste – Water Department.

Mr. Haire: The Storm Water Department?

Mr. Domini: The Storm Water – Don Turley who regularly inspects these and maintains our drainage easements and our storm water system. I usually ask them if there's a problem. Sometimes it may not be a problem for them, so I extend that courtesy to the property owner just to check in with them. In this case, he advised me not to allow the fence to be placed in the drainage easement, so I approved the application with the condition that the fence must stay out of the drainage easement and noted that I spoke with Don Turley on 9-9-09. And that's why I approved this application. Following that, I talked with the property owner, gave him a call, let him know what I was doing, and he feels that he really would like to have this fenced extend back into the drainage easement. So I told him what the process is for appeal and that's how – that's why we're here tonight to review his request.

Mr. Feeney: Okay.

Mr. John Grebb: Good evening.

Mr. Feeney: So if you'll state your name, please.

Mr. Grebb: I'm John Grebb. I live at 7841 Priestly Drive here in Reynoldsburg. Thank you for the opportunity to discuss my request to fence my rear yard. My property does have a drainage easement at the rear and this easement is basically the overflow basin for the neighborhood. Storm water runs in and flows back out. My property splits this basin with a neighboring property at 7833 Priestly. Now, this easement is marked on the plot plan and basically in my back yard it's 120 feet by 70 feet and goes approximately about half of that again on my neighbor's property. Both conduits are on my property. When I presented the permit application, I requested permission to fence almost the entire area along with additional footage to connect to the rear of my home. The approved fence permit allowed me to fence everything but the drainage easement and the approved area is basically not large enough for me to be worth building the fence. I want the fence to fence in my dogs and there's really not enough room for them to run back there with the deck that's on my house.

I took a look at Reynoldsburg Codified Ordinance for 1351 which deals with the fences and I don't see anything in there that prohibits fencing in a drainage easement. I note that Section E does speak to solid fences blocking drainage swales. However, the type of fence that I'm proposing to construct is a 4-foot tall stockade or Kentucky style fence with a welded wire attachment to contain my animals. This is the type of fence you see in New Albany with the three rails. I don't see how this type of construction would impede any water flow in the drainage. I've owned this home since it was built 10 years ago and, in that time, I've seen the drainage basin work. I've never seen this basin fill entirely and I did bring several photos with me of the back yard and what the drainage easement area looks like. I hope that gives you an idea of what's back there. It's a pretty large area. The worst occasion I ever saw water in that area – and there's also a photo of this. When they built the final phase of Quarry Park they constructed, I guess it's a retention pond or a drainage pond. It's to the north of my house and that drains right into the conduit that comes into my yard. It's the overflow basin for the final phase of the neighborhood and their storm water collects there and then if it overflows it flows back to my yard. When that was originally built there was a very heavy rain and that drainage pond failed, water ran down Priestly Drive. It was basically sidewalk to sidewalk on Priestly Drive when that failed and it actually flooded a basement on Priestly down towards Waggoner Road. That occasion the basin in the yard did fill all the way up and water in the 30- inch conduit was flowing out 30 inches wide. It was coming that quick. I've never seen that since. The worst I've ever seen it since is about 10 inches.

Since that drainage pond was rebuilt and now functions, it takes a very hard rain to get any accumulation of water at all back in that drainage area. And the most recent

heavy rain we had just a couple weeks ago resulted in only a small amount of ponding in the drainage easement. This area does stay damp in the spring, but a fence of the type I'm proposing I don't believe would restrict the flow of water. I did some research on Google and located numerous responses and most of these were minutes from Board meetings such as this where property owners were requesting fences in these drainage easements. In almost all those cases the – a variance was allowed to allow a fence in the easement with several restrictions. Some cities require that there be gate access so that the City could go back and do maintenance if they needed to enter the property. Others regulated the type of fence that could be constructed such as a privacy fence not being allowed and open fencing being permitted. Some cities required acknowledgement from the homeowner that any access that would be required would be at the homeowner's expense, so if the City needs to go back there and they tore down the fence, the homeowner would be responsible to reconstruct that fence at their expense.

Now, as I mentioned before, I did not see anything in the Reynoldsburg code that specifically restricts fencing in a drainage easement and the fence permit itself seems to indicate that it is allowable, stating that the homeowner is responsible to remove any fencing in the easement. I'd be happy to answer any questions or concern that the Board might have and I appreciate the opportunity to be here tonight.

Mr. Feeney: I want to back up to the type of fence that you're talking about putting in. It is a split rail fence – like a--

Mr. Grebb: It's not a split rail. It's basically a 1 by 6 board.

Mr. Feeney: Okay. And then you mentioned you're going to put some—

Mr. Grebb: Some welded wire that basically would just be on the inside of that fence to keep animals from going underneath the fence and through the fence.

Mr. Feeney: So it's like a chicken wire type of—

Mr. Grebb: It's a little bit more hearty than chicken wire. I think it looks a little bit nicer. They sell it coated with rubber so it won't rust.

Mr. Feeney: And this is just going to go on the bottom part?

Mr. Grebb: They sell the welded wire in a 48-inch tall piece, so it would go basically from the top rail down to the ground.

Mr. Brusk: What size openings does that wire have, 2 by 2, 1 by 1?

Mr. Grebb: I think it's actually a 1 by 2. They're not square, they're rectangle in shape. I haven't measured but I believe it's probably 1 by 2.

Mr. Haire: You mentioned that the pond failed and it's been rebuilt. Who rebuilt the pond?

Mr. Grebb: I would assume that MI did or the City did.

Mr. Haire: And how did they rebuild it? Did they take equipment back there?

Mr. Grebb: They did no work in my yard. This was across the street. The aerial map from Google that I had in that packet shows my house and then the pond is across the street from my home.

Mr. Haire: And the easement goes all the way beside your house as well and I could only assume that would be to allow access to that pond. So if you were to put a fence down the middle of that access, how would they get equipment down there in the future?

Mr. Grebb: I don't have a pond in my yard. The drainage easement in my yard is simply – it's this grassy area. Water flows in and water flows out.

Mr. Haire: It looks like it's a depression. It's—

Mr. Grebb: If there's any easement between – on my property line that's above the conduit?

Mr. Haire: Yeah. I call it a pond just because it's a detention rather than a retention. It's a dry pond rather than a wet pond. It's only a pond during rain events.

Mr. Grebb: Yes. It takes a substantial rain to—

Mr. Haire: My question would be, if you put a fence down that property line there'd be no way for them to get equipment back there. Even if you did put a gate in, I can't see how they'd get equipment back there with posts down the middle of the property line.

Mr. Grebb: Currently my neighbor at 7833 has a fence in her yard, so obviously they couldn't come between our yards and that's where we share the retention pond. My neighbor directly to the east, I don't think she would have any problem coming in and applying for a fence permit. And if she were to install a fence, no one would be able to get between the houses there either. In all the time that I have lived here in Reynoldsburg at that home, nobody has ever – well, I take that back. On one occasion somebody came – when it was newly constructed back there, there was a big metal grate on the conduit. That conduit got removed one day. There was no notice left at my house, it was just gone one day. Other than that, nobody's ever accessed it for any reason, not to clean out weeds, not to look in the conduit. There's two manhole covers that obviously I would not be able to fence in. They'd be outside of the fence.

Mr. White: Have you ever considered using or installing a wireless fence?

Mr. Grebb: Yeah. I have, however, it's been my experience – and I actually have a wireless fence for my dogs now. That lasted for about two months. The first time they saw a deer they were out of the yard. They didn't care about the fence, the electric fence. There's a home with an electric fence in my neighborhood. When we were walking the dogs, one time the dog within that fence, came out of the fence and attacked my dog. We've considered that. My wife and I have discussed it. The expense, I think, to get one strong enough to keep our dogs in would probably be about the same. However, I'm not willing to take the liability that I think that that would leave on me if something to that fence and it failed allowing my dogs to get out.

Mr. Domini: Does everybody have their monitor on?

Mr. Grebb: Yeah.

Mr. Domini: Okay. So you can see the picture of the utilities?

Mr. Feeney: --the pond being in – the drawing we're looking at -- I don't think – you can't see that up there, can you?

Mr. Grebb: No.

Mr. Feeney: But—

Mr. Haire: That shows you a hundred year storm, so it likely has a 1% chance of happening in a given year and I know you may have lived there for 10, 12 years and I'm sure you haven't seen that, but—

Mr. Grebb: Right.

Mr. Haire: --you may never see in your lifetime, but there's a 1% chance it might happen in any given calendar year.

Mr. Brusk: When we've had – and we've had storms like that about 20 years ago where we had two 100-year storms. My concern is wire mesh, even though it's 1 by 2, the problem with that generally is that debris and it fills up, and you end up with a solid blockage and it could be grass, it could be newspaper that's floated in—

Mr. Grebb: I can tell you there's quite a bit of trash that comes through that conduit and ends up in the back yard. I mow back there. I know what typically comes back there. I've had carpet remnants. I had all kinds of different things come through.

Mr. Brusk: (Speaking off mic) That's my – a major concern I have. My other concern is even if it's a large area and it's – could very well have maintenance on it because of a major problem that occurs, some failure somewhere or changes in the

flowing and so on is that they can't get equipment back there without tearing down the fence. If we were to go forward on this, my personal view would be that you would have 100% liability as to any damage that would be done to the fence if somebody had to come in.

Mr. Grebb: Absolutely. And I can understand that.

Mr. Brusk: So that could be a very expensive proposition.

Mr. Grebb: Well, some of the things that I've thought about to that end, because obviously I don't want to go to the cost of installing this fence and having to tear it down for some reason, and then re-install it. What I've considered in my own mind is having a section of the fence that has sleeves within the concrete so the fence panels can simply be lifted and removed.

Mr. Brusk: Well, yeah, in fact, it may or may not be a problem. That we don't know. Is there any advise to them not to do that because of what the problem is, what their concerns are.

Mr. Domini: Well, I think the Board's covered. I mean, number one is public access and in certain instances Don's recommended a large gate that you could drive a truck through. And the second issue was obviously drainage, prohibiting the drainage.

Mr. Feeney: Well, I know that they would like to have access to the manholes because that's where they would do the clean-out if they ever got blockage in there or something, so--

Mr. Domini: Right.

Mr. Grebb: The manholes would be on the outside of the fence, correct. The conduit runs – it is the property line between my neighbor and myself and it's on the east side of the property. And it comes basically diagonal from – I just don't have a map to show you, but to the north where that big pond is where it actually holds water, the pipes connect over there in some fashion and they flow under the road and diagonally and then-- the first manhole cover that's on my property is approximately 10 or 12 feet from the sidewalk, south of the sidewalk, so I assume that it comes diagonally and connects there and then travels south along the property line. And then about 44 feet from the rear of the yard it makes another diagonal cut and that's where it cuts to the west and that's where the water drains, but the conduit that's further west of that that seems to point north, that's where the water drains from and exits the property. The manhole covers being right on top of that conduit, I assume – obviously I can't install a fence on top of that conduit. One, there's not enough ground and two, obviously I don't want to get into that, so I would be west of that on the property line. So both those manhole – the manhole cover at the street obviously wouldn't be fenced in and the one at the rear of the property certainly would not be fenced in either.

Mr. Brusk: (speaking off mic)

Mr. Grebb: They would be, yes. And I think the conduit that drains onto the property, that section is probably 30 feet, and then the section that drains out is approximately 15 feet I think, is all that piece is.

Mr. Feeney: Aaron, is the green shaded area, is that the—

Mr. Domini: That's the detention basin and the green line is the storm sewer and the circles are the manholes.

Mr. Feeney: I was wondering what the distance is between the shaded area of his back yard over to his east part – I think it's the east – property line.

Mr. Feeney: Yeah, so the north.

Mr. Domini: Yeah, it's north. North is up.

Mr. Feeney: Yeah. So what I was thinking about – well—

Mr. Grebb: I think I have – I think Aaron gave me the GIS map. Is that the--

Mr. Domini: Yeah. That's pretty much what we're looking at now.

Mr. Feeney: Okay. Well, what I was thinking is that if we – if you would fence in the retention area so that would be free for the water to flow as needed and then you would have access to the back of your, rear of your lot for your dogs to run, so your fenced in area would look like a C, backward C.

Mr. Grebb: Are you saying just bring the fence shorter than I proposed and put it in front of that conduit?

Mr. Feeney: Well, you bring it down – extend it all the way down your east property line across to your south property line and back up your west property line to the retention area and then follow the ridge of the retention area around – all the way around to your west property line and then back up against your house. I don't know if that's 3 feet or 4 feet.

Mr. Grebb: It's not a large area and it's sloped quite a bit. At that particular spot in the back yard, there is quite a drop off from—

Mr. Feeney: It looked like on these pictures that it was pretty flat. That's why--

Mr. Grebb: Yeah. And I couldn't represent that on the pictures. I don't know if one of them represents it better than the others. It's hard to get a sense of dimensions but the very first photo, which is a view from the south property line towards my house,

on the right hand side of that photo you can see the opening and that's, I guess, would be the inlet to this drainage basin. That pipe itself is 30 inches and you can imagine the amount of soil that would be on top of that. And then that levels off across the property line right there, so it's probably out an approximate 4 or 4½ feet drop off from on top of that conduit down into the basin.

Mr. Feeney: Yeah. And my concern is with the retention area, and the inlet is on your side and it flows over to your neighbor's so it can retain water.

Mr. Grebb: Well, the outlet is only maybe 12 feet from—

Mr. Feeney: Yeah. But the area is so big. It's because they're expecting amount of backup of water—

Mr. Grebb: And the way the basin is constructed, most of the water stays on my property. It's deeper on mine.

Mr. Feeney: They have it designed so you got to assume that the engineers know what they're—

Mr. Grebb: Sure.

Mr. Feeney: --thinking about. And if you put a fence with a narrow openings, the wire mesh on it and if the water is trying to flow over to your neighbor's area, it's going to be storm water, there's going to be a lot of debris in there and it's probably not going to work right. So they just would have you start your backup. And then the retention pond doesn't work because they cut in half the retention pond—

Mr. Grebb: It would take – the area basically we're talking about here is a 120-foot distance. Like I said, I wish I had pictures to bring you of how the water has ponded back there in the past but—

Mr. Feeney: And those retention ponds are designed to have – and every time it rains it just – again, it's a hundred year flood—

Mr. Grebb: Sure. And if we had a hundred year flood water it would be in my basement, I'm sure.

Mr. Haire: The neighbor – if you look at the neighbor's fence, it stays out of the drainage easement.

Mr. Grebb: Right.

Mr. Haire: You can see it on there. I don't think that I can support this. We have our storm water folks that do this everyday. We employ two people full time for the City that work on storm water and they're always repairing these things. They might

not have repaired this one yet, but they repair quite a few of them, so I just can't see supporting this application and with their recommendation to not approve it.

Mr. White: I wonder, you mentioned maintaining a sleeve in the fence itself to allow access and egress and—

Mr. Grebb: It would be very difficult to build a 16-foot fence but – to include three posts in a concrete sleeve that they could simply lift out from the ground and remove them and certainly—

Mr. White: So that alternative is not possible, at least feasible for your point of view?

Mr. Grebb: Absolutely, it is. I would be absolutely willing to-- And I proposed the welded wire fence that I talked about. That's what's available at Lowe's that I saw when I went there and said, "This is what I want to construct." I'm sure there are absolutely other fence options available.

Mr. White: The second concern is that the wire mesh may get – hinder or may accumulate brush and, therefore, stamp or hamper the flow of liquids or the water that builds up there. Is there some way that you could actually maintain that on a regular basis?

Mr. Grebb: I maintain the easement as it is now. I cut the grass. Just prior to cutting this picture, I cut down all the weeds and the cattails that grow in there every summer. So, this time of summer I have to cut all the cattails and in the spring there's usually something that comes back up. The amount of debris that comes in to this basin is not a large amount, is not an amount such that would clog the fence and cause the water to backup and flow over the fence.

Mr. Feeney: Well, I think it's only going to happen – again, not the normal storms or even the big storms. It's going to happen at the big flood. When it's needed, is it going to operate right when the fence is there? The fence will – may be totally clean and that storm comes along and, just like you said, you get a lot of debris coming through there, you don't know what it's going to be, and it'll clog it up just as fast as the water can push it there. And now we have a retention basin that's half--

Mr. Grebb: And, again, the fence isn't going to be up against where the water is going to flow out from, so the water is not going to be forced into this fence and basically strained before it goes into the retention pond. It's quite a distance--

Mr. Feeney: The pond has an area and it is designed to fill all the way up.

Mr. Grebb: Sure. And I think that—

Mr. Feeney: And I know I've seen – I've got one two lots down from me and that thing is bone dry, three times it's been totally full and overflowing actually, so I just can't imagine if it was – if there's a fence in there we'd only get half of that. Taylor Road actually flooded and that thing was full and overflowing, so I can't support it. Again, we've got to rely on the engineers designing those retention ponds in that area for a reason and it's all in their calculations.

Mr. Grebb: And I wonder, too, though, and not knowing the history of the subdivision when it was built. There were – looking through the history, some of the appeals that have been brought here. I did note that Quarry Park was approved one section, then another section, then another section. Not knowing that history though, I wonder if this was built to contain the first phase of the Quarry Park Subdivision because certainly they did not continue this construction when they built the final phase. The final phase has a lake. I mean, it's not even – I wouldn't call it a pond, it's a lake. It's a very large area of water over there and I would have to guess that that's there because it takes the majority of the water. I think this was constructed so large to contain the water as it was originally – the neighborhood was originally proposed. Again, I've been there since it was built. I've seen heavy rains. If you recall the rain we had about three weeks ago, that was 3 inches of rain in an hour, an hour and a half, and it didn't fill up to the landscape wall and there was very little debris back there that day. It's not a garbage dump when water comes through there. There can be things in there. There's plastic bags, there's stuff, but there's not enough stuff that I think that even as I proposed it that would restrict the water in such a manner that it would cause this to fail.

Mr. Feeney: Well, again, I'd have to go with the engineer's recommendation. I would have to do that. I don't have any facts that shows that – and I can't imagine this requiring a developer to build a retention pond and just not need it.

Mr. Grebb: Well, and again—

Mr. Feeney: Especially if the engineer recommended—

Mr. Grebb: If it was recommended at that time for the situation.

Mr. Feeney: Well, he's also recommending to keep it, too.

Mr. Grebb: Certainly. Obviously they don't want me to fill it in and get rid of it but—

Mr. Brusk: (Speaking off mic) But they're also recommending you—

Mr. Feeney: And I think if he said that's not needed anymore he would have come out and said, "That's okay, it's not going to bother us one way or the other," so I think we have to--

Mr. Grebb: Are there any options that you could put forth to change the construction as I proposed it. If we need to go with a larger wire – I'm not containing small dogs. If I need to go with a larger gauge of wire or—

Mr. Feeney: I don't see cutting that retention pond in half and that's any type of a fence in there was going to do that. That would have to be able to keep the dog in.

Mr. Grebb: Who would I need to speak to at the engineer's office to discuss this?

Mr. Feeney: I don't know who that is.

Mr. Domini: Well, ultimately it's up – this is your Appeal's Board.

Mr. Grebb: Well, I understand that, but since we don't have the facts from the engineer to determine whether or not this was constructed to retain water for the first phase, therefore, it needed to be so large. And now we have a second manner of controlling the water that flows through there.

Mr. Haire: When they design these they have a preliminary plan, they come through with all three phases of the subdivision with one design.

Mr. Grebb: I would have to imagine that MI did not own the plot of land that they built the final phase on when they – they may have envisioned wanting to construct there later but I don't think—

Mr. Brusk: (Speaking off mic) That's all speculation. We have no way of knowing that this was the case at all.

Mr. Grebb: Which I why I asked that maybe – if I could be permitted to do some more research and talk to the Engineer's Department.

Mr. Haire: Sure. You can talk to Aaron and he can get you some contact information.

Mr. Grebb: Because I certainly would like to work with the Board and have an opportunity to work this out.

Mr. Feeney: Well, then what we can do is we can table this matter until you have the opportunity to gather your information and see if there's—

Mr. Grebb: Again, the research I've done and even in the ordinance, it doesn't – there's no prohibit – nothing prohibits this and nothing says in the ordinance that it needs to be reviewed by anybody but this Board.

Mr. Haire: If you look on your plat it'll say that no – basically no alterations of any drainage easement without the prior written consent of the City Engineer. It'll say that right on the plat of Quarry Park. I don't which phase, if this is one, two or three, but that's standard language that's in every plat.

Mr. Grebb: Okay. Well, absolutely, I'd like an opportunity to have all the facts before the Board because, like I said, there's other cities that have these same exact issues. This isn't an issue just for Reynoldsburg. It's certainly an issue that exists all over the United States. And even I can provide the Board with the – there's an specific incident where the concern was debris piling upon the fence. They discussed it. They decided that it wasn't going to be a problem and they decided that access was the bigger issue. And again—

Mr. Feeney: Again, you're welcome to talk to the engineer and get all of his opinions and things like that.

Mr. Domini: Jim Miller is the engineer. Call me – if you want to call me I'll get you in touch with him.

Mr. Grebb: Okay. I'll call you in the morning.

Mr. Feeney: So you're requesting that we table this?

Mr. Grebb: Yes, sir.

Mr. Feeney: Okay.

Mr. Brusk: (Speaking off mic) I so move that we table—

Mr. Feeney: Item—

Mr. Haire: C-1.

Mr. Brusk: (Speaking off mic) Item C-1.

Mr. White: I second.

(Mr. Domini called the roll. Mr. Feeney voted "yes." Mr. Haire voted "yes." Mr. White voted "yes." Mr. Long voted "yes." Mr. Brusk voted "yes." Item was tabled.)

Mr. Grebb: Is the next meeting a month from now?

Mr. Feeney: Yes.

Mr. Haire: The third Thursday in October.

Mr. Domini: Third Thursday.

Mr. Grebb: Is there any way – this being September, we're going to get into October and later if we need to do some additional stuff. Is there any way to appeal further in writing to get a decision before that or do we need to meet again here?

Mr. Domini: We need to meet again here.

Mr. Feeney: You need to be here on October 15th.

Mr. Grebb: Okay. I look forward to seeing you gentlemen then. Thanks for your time tonight.

2. MAJOR SITE PLAN REVIEW APPLICATION, 1200 EPWORTH AVE., REYNOLDSBURG, OHIO; PRESENT ZONING, S1; PRESENT USE, ELEMENTARY SCHOOL (FRENCH RUN); PROPOSED USE, ELEMENTARY SCHOOL; PRESENT OWNER, REYNOLDSBURG CITY SCHOOLS; CONTACT: HEDI SLAMA (MOODY-NOLAN INC.) (7682-Z).

Mr. Domini: And I apologize. I don't know – I've never had this projector act up before, but it could be that somebody was using it and changed the settings on it, but I'm having a hard time today.

Mr. Feeney: Well, we can – it's coming through on our monitors.

Mr. Domini: You guys know what this all looks like, so I'll just mark my notes you're looking at it.

Mr. Feeney: I don't know if it is on that monitor down there?

Mr. Domini: Mr. Feeney, this application – there were some issues. Moody-Nolan sent over two drawings which we had requested earlier today, which was a lighting plan as well as a preliminary landscape plan. And the only issues I noted on the landscape plan, which I think they've addressed. Those hard copies are before you, here on the table. So I'll let Moody-Nolan go ahead and present. Just so you guys know, I have the current aerial in here and then I have the first site. They have the landscape plan and lighting plan hard copy.

Mr. Hedi Slama: Good evening. My name is Hedi Slama. I'm Project Architect on the renovation and additions for French Run and Herbert Mills and Rose Hill Elementary Schools. And we meet today, the Civil Engineer, Mark Larrimer. He's the one that prepared the zoning review for these three elementary schools. We look at the French Run site plans—

Mr. Domini: Would it be simpler – I think if we just ask questions, because I'm not sure – just so the Board knows, Luke and I have reviewed these plans. I've noted a

couple things in here that I'd like to address, but if you have anything else you need to address--

Mr. Haire: I'd rather them just explain what they're doing with the parking areas and with the additions and those things. Just a quick overview of what this project is, what it entails.

Mr. Slama: 100% of the existing building is getting renovated and French Run we're adding an addition – classroom addition on the back of the building. The north – or east side and it's 6 – it is a 6,500 square feet addition. On the front of the building, we're trying to separate the bus drop-off from the parents' drop-off which is required by OSFC standards. And in order to do that, we had to extend the parking area in the northwest side of the site here.

Mr. Domini: Again, here's the existing – you can see the one loop and then the parking way off to the east, which is over here. Going back here you can see how it's split. Parent drop-off would be here and then the bus drop-off loop here, and a reconfigured parking here. This over here to the northeast is the addition.

Mr. Brusk: (speaking off mic)

Mr. Haire: It's a classroom.

Mr. Brusk: Oh, classroom.

Mr. Domini: Yeah. This is the addition.

Mr. Haire: A 7,460 square foot classroom addition on the rear of the building.

Mr. Domini: It's my understanding they're not increasing student capacity.

Mr. White: Are they increasing the teacher capacity?

Mr. Haire: It still meets the zoning requirements.

Mr. Domini: Yeah. Zoning is one parking space per classroom.

Mr. Haire: I think the actual traffic level—

Mr. Domini: or one—

Mr. Haire: --has probably increased significantly without busing, but I don't think that necessarily is something that we can take into account with this application.

Mr. Brusk: Okay.

Mr. Feeney: You mentioned this parking was being changed because of – and I didn't catch why.

Mr. Haire: It's the Ohio School Facilities Commission. He just abbreviated it. They require that when they fund schools and since they funded what – half the construction nearly?

Mr. Slama: They would like to have a separate drop – a bus drop-off from the parents' drop-off and parking. So that's why you see two loops in our proposed site plan instead of one.

Mr. Haire: That's on all three of these plans we're going to see tonight.

Mr. Feeney: Okay. And that's enforced because of the funding.

Mr. Haire: Yeah, funding.

Mr. Feeney: Okay.

Mr. White: Again, going back to the addition, you indicated that there will be no increased parking capacity for students, but what about teachers? Are there going to be more staff facilities, the staffing, therefore parking needs for them?

Mr. Domini: Our parking requirement for schools is so low. It's one space per classroom – that I don't think they're even coming close to not meeting our requirement here. I really am not that worried about the quantity of parking for the facility. I think it's more than adequate.

Mr. Haire: Like Jim's – Jim's concern was more – our City Engineer's concern was more with the storm water and how they're going to handle that and that's—

Mr. Feeney: With additional asphalt.

Mr. Haire: And it's up for them to figure out. I'm sure you'll enjoy doing that.

Mr. Domini: Jim's concern was that if the storm water wasn't figured out now, that—

Mr. Haire: That they'd have to re-design.

Mr. Domini: --plan would be reconfigured to meet the storm water requirements, so we'd be back here again.

Mr. Haire: Right.

Mr. Mark Larrimer: Mark Larrimer. The plan for the storm water at this point is to use underground retention in combination with, in some of the lawn areas some bioretention for water quality. Although we haven't gotten an explicit volume at this point, the intent is to go underground and not reconfigure the site itself.

Mr. Feeney: You mean underground storage? You said – what was that? Not tanks – you were just talking about going to take it away, right? You're not going to have ponding areas, is that what you're saying?

Mr. Larrimer: You'd have underground ponding, yeah, in pipe storage.

Mr. Haire: It'd be a large pipe with a restrictor on it that restricts the water from flowing out and lets it pond in there. Expensive.

One of the concerns that Aaron had brought forth was with the landscape plan and I see you've added – it looks like you may have added, or maybe not on this one. My main concern in looking at this is the lighting. These lots in Brookside are very small and you have lighting that's very close to them. I think those are what – 20-foot light standards? So that's my biggest concern is that these folks right out their back yard and they look out their back yard, they're going to see these light posts right in their back yard. I'd like to see some more landscape added there. I know that they're – it says chain link and wood fence, but there's no delineation of what's where, so that was my biggest concern in looking at this. I'd like to see some additional trees added to hopefully block some of that light. I know it's less than a foot candle at the property line or crossing over the property line, but you can still see that light out the back window I'm sure.

Mr. Feeney: Is this the lighting you're talking about?

Mr. Domini: Yes.

Mr. Feeney: You just got this tonight?

Mr. Domini: Yes.

Mr. Haire: I think our code requires one deciduous tree for every 50 feet and it doesn't look like you're meeting that on that exterior of the parking lot area. There's probably room to add one or two more in there at least.

Mr. Domini: On the – that would be on the west side, Mark, the parking that butts up against those lots. I think there would be required two more deciduous trees and I can show you—

Mr. Larrimer: Okay. I don't think that's an issue. I think the calculation I looked at for the deciduous tree requirement required nine overall in the parking lot and one per ten space.

Mr. Domini: Internally, but on the buffer—

Mr. Larrimer: Okay. Is that an additional number on the buffer?

Mr. Domini: Right.

Mr. Larrimer: Well, I guess what I'm thinking is we've shown 18 trees rather than nine, so reconfiguration of those there's no problem.

Mr. Haire: On the buffer it's the 3-foot hedgerow and then one tree every 50 feet.

Mr. Larrimer: Okay.

Mr. Haire: The area I'm most concerned with is the area behind 1164 Hill Ridge Drive – that area 1164 and 1172, because those are the areas that you have the light standards that are very close to the property lines and those are very small lots.

Mr. Larrimer: Right, understandably. I think we can make those adjustments to comply with that.

Mr. Domini: And then you noted on the landscape plan that the hedgerow would be 3 feet installed which was my other comment before I had the landscape plan. And then our code requires existing trees to be – that are removed to be replaced, but I'm comfortable with the number of trees you've put in in the internal parking lot and the buffer on the parking lot, but that meets our requirement for those trees that were removed, so I don't think any additional trees are needed there. But I think the staff's biggest concern was the lighting and the additional buffer needed to those lots to the west.

Mr. Feeney: Let me ask a question about the lighting. Is the lighting going to be on every night, all night? Is it dusk to dawn or is this just for school functions only or—

Mr. Haire: I imagine it'll be on all the time for security reasons. I don't know if they can answer that, but I would just imagine it's there – it's on all the time.

Mr. Larrimer: I couldn't answer that accurately.

Mr. Feeney: If it's just at an event type of lighting then we wouldn't push the issue as much, but if it's on all the time, which I think it should be especially when it's schools. And I see your foot candle it really, when it gets to the property line as I'm trying to match up the property lines with the lines here, it really falls off to 00 real fast.

Mr. Haire: It's pretty close to that.

Mr. Feeney: Yeah. It's just barely lights up the property line.

Mr. Haire: I'm more concerned about the height, the 20-foot height. So if you're looking out your window you're still going to see it back there. It might not directly be shining on you, but you're still going to be able to – it's still going to affect your vision, I guess. So I'd rather see trees, when they grow up at least, to screen it out.

Mr. Feeney: Are these cutoff fixtures, I assume?

Mr. Larrimer: Yeah.

Mr. Domini: Mark, in the preliminary landscape plan, did you call out that tree type?

Mr. Larrimer: We just called them out as deciduous. We didn't have a specific species labeled.

Mr. Domini: It's not – not that it's necessary. I'm just wondering how it's going to shield the light depending on the tree. Of course, it probably will only do that two seasons.

Mr. Feeney: You had the one drawing. It looks like this area in the back of the place that it says asphalt and there looks like a drive back there. Is that parking also?

Mr. Larrimer: That's the playground.

Mr. Feeney: It looks like it comes off the back parking lot.

Mr. Haire: It does.

Mr. Larrimer: There's like a gravel connection between the parking and the--

Mr. Domini: Here?

Mr. Feeney: Yeah.

Mr. Larrimer: --northeast and then it comes back and it goes up the hill to a play area.

Mr. Domini: That's existing.

Mr. Feeney: Yeah. This is – you had it outlined in blue and it looked like it's a continuous drive. I thought they were using that for parking also.

Mr. White: This is regarding the drainage again. You indicated they would have some kind of basin that would absorb the overflow or the flow off the surface flow, but

my concern would be would it be directed somehow to the back there as opposed to the homes here, particularly 1172, 70 and 10, 1164.

Mr. Larrimer: Yeah. I think you should be able to see on the plan a sketching of the storm sewer layout heading towards the ravine back in the northeast corner, which should actually – I think it's going to help out the people on that property line, because currently everything sheet flows straight off site. There's not a lot of storm pickup in the existing lots. Or actually, I apologize, I just said northeast and north is actually to the left, so it would be the southeast.

Mr. Feeney: I thought maybe I didn't have the right drawing there. So what was the idea with the underground storage versus a retention area. Is it just that it'd have to be so big in a school or the safety?

Mr. Larrimer: Yeah. It's a combination of that. The confined space that we have to work with with this plan, the way all the open space on the site basically drains down towards the front of the school, so you would be – if you were doing over land, we would have some sort of large depression up here in the middle of the parking area, which is rather undesirable, as you can imagine – right in front and center, the school having a detention facility. I'm not going to say once we get estimates back that we totally rule out trying to do something like that, but we were leaning to try to do the underground on the site.

Mr. Feeney: Just kind of backing up to the first guy we were talking to. Is this going to be designed for like the hundred year flood, too? Is that area – or is that just kind of normal drainage?

Mr. Larrimer: It's designed, I guess, per the regulation. You have to keep the hundred below the original hundred all the way up from – you catch – you determine the critical storm based on increase and runoff from the new asphalt and take that and restrict that to the one-year flow and then as you get past the critical storm, you restrict back to the pre-development storm.

Mr. Haire: So it can't be designed to increase any rate flowing off?

Mr. Larrimer: Right.

Mr. Haire: But not necessarily designed to a certain storm level?

Mr. Larrimer: Right.

Mr. Feeney: Does the Board have any other comments or questions about Item C-2?

Mr. Domini: My only comments were the addition of the two trees in the buffer on the west side which I'll go over with you. I can even show you before your leave where those need to go. That was it.

Mr. Haire: I'll move for approval for Item C-2, the major site plan for the French Run Elementary with the condition that the two trees be added as per Aaron's drawing, so the two trees behind what is 1164 and 1172 Hill Ridge.

Mr. Domini: Yes.

Mr. Long: I'll second.

(Mr. Domini called the roll. Mr. White voted "yes." Mr. Long voted "yes." Mr. Brusk voted "yes." Mr. Feeney voted "yes." Mr. Haire voted "yes.")

3. MAJOR SITE PLAN REVIEW APPLICATION, 6826 RETTON ROAD, REYNOLDSBURG, OHIO; PRESENT ZONING, S1; PRESENT USE, ELEMENTARY SCHOOL (HERBERT MILLS); PROPOSED USE, ELEMENTARY SCHOOL; PRESENT OWNER, REYNOLDSBURG CITY SCHOOLS; CONTACT: HEDI SLAMA (MOODY-NOLAN INC.) (7683-Z).

Mr. Domini: Again, gentlemen, I have the aerial – existing aerial and the proposed site plan that you provided without the landscape plan, which are hard copies provided. You want to give us a narrative again of what's going on?

Mr. Slama: Yes. Same thing here for this existing building is getting renovated. We are adding two small, smaller additions. One of them is two classroom addition at the original building which is the building on the west of the original building. On the east is the additions and they were connected at one time. I think in 1993 renovations they were connected through the connector. So the classroom addition is only 2,300 square feet and the other addition which is roughly 1,000 square feet and we feel between the existing building classrooms and it can be the connector. The idea is to make the office closer to the main entry. Same thing on the front of the building. We created two loops. One of them is for bus drop-off and the other one is for the parents and we tried to maintain the same capacity of parking as originally had existed.

Mr. Haire: I think we looked at this. They picked up two parking spaces, I think, from what they had originally. Can you go back to the original?

Mr. Domini: Sure.

Mr. Feeney: They were able to pick up two parking spaces, but also reconfigure to meet the requirements.

Mr. Haire: I think there's one – yeah, there's one modular out here.

Mr. Brusk: (speaking off mic) Is that modular going to stay?

Mr. Feeney: It appears that it is.

Mr. Slama: That modular over there is going to be demolished when the entire building is renovated.

Mr. Brusk: (speaking off mic)

Mr. Slama: Yes.

Mr. Brusk: (speaking off mic)

Mr. Slama: Okay.

Mr. Haire: But they will have two, three, four modulares during construction?

Mr. Slama: Yes.

Mr. Haire: I think on each school they have three or four during construction.

Mr. Long: So these schools, both these schools so far are going to be renovated totally, they're remodeled?

Mr. Slama: Yes.

Mr. Long: Okay. And then you're just putting the additions on and reconfiguring the outside parking lot. That's why we're—

Mr. Domini: I only have one comment on this one, that one tree was missing across the front facing right, basically where you're new island kind of comes in right off the front, there's a gap between the three trees. It's probably about 150 feet. I would recommend placing one kind of in between the two of them, which will give you nice kind of street trees unbroken across the front. You see what I'm saying, Mark?

Mr. Larrimer: Yeah.

Mr. Domini: Okay. And that meets our requirement as well. Again, I think we're losing one tree in the courtyard, but we're picking up many trees so I'm not concerned about that. Looking at the foot candles, it doesn't appear they are really significantly spilling over at all.

Mr. Haire: What are the materials you guys are using on these additions? Will it match the existing?

Mr. Slama: Right. Yes. Actually we're trying to match the existing brick.

Mr. Long: I've got a quick question. The current entry here on the Retton Road school comes in from the east one-way through the large end of the loop and back out for a school bus. Are they going to be able to make that turn into that tight loop or out of it?

Mr. Haire: For the bus drop-off?

Mr. Long: Yeah, for the bus drop-off.

Mr. Larrimer: They should be able to.

Mr. Haire: Did you run the program to run it through?

Mr. Larrimer: I personally have not.

Mr. Feeney: Has anybody?

Mr. Larrimer: I—

Mr. Feeney: Or do you know?

Mr. Larrimer: I am not certain – this was – the site plan was developed by a landscape consultant.

Mr. Feeney: Wow.

Mr. Larrimer: I guess—

Mr. Feeney: That's the question.

Mr. Larrimer: I can't say for certain.

Mr. Long: That's a big "if." That is tight.

Mr. Feeney: Yeah. It is tight. I apologize. I made the assumption that it was designed for a bus drop-off, that the buses – I would have thought that would have been the first thing they would have—

Mr. Larrimer: I would think it has been taken into consideration.

Mr. Feeney: It's awful small scale.

Mr. Haire: I mean, it's deceiving because of the scale, too.

Mr. Larrimer: It is good to scale.

Mr. Haire: If you're looking at full size plans it might be different, but you're an inch to 50 and you're used to looking at an inch and 20 or inch and 30. Each of those parking spaces is at least 18 feet long, so that gives you a better idea of the scale of how wide that driveway is.

Mr. Feeney: Yeah. The two different drawings. The first one was one to 40 and now this is one to 50, so it's a smaller scale. But, of course, French Run, it seemed very smooth – the turns, but this is—

Mr. Haire: And it looks – it appears that the driveway width is 20, probably 28, 30, 30 feet wide.

Mr. Domini: Um-um.

Mr. Haire: It all just depends on the radius.

Mr. Brusk: Yeah.

Mr. Haire: It looks like it's taken into consideration, but—

Mr. Larrimer: Yeah. It's something that I'd be happy to e-mail over tomorrow if you would like confirmation on it.

Mr. Haire: I don't think that's a major issue. I mean, if they have to make minor changes to allow to fit in there and changing the radius, some of those turns, I don't think that's a major issue.

Mr. Feeney: This parking lot looks a lot tighter in numbers. Is this – there's not as many parking spaces on this as there was on French Run and are we concerned about that? Because I was just thinking, if we're going to have reconfigure this parking so the buses can get around, we may lose parking spaces and we're already at—

Mr. Haire: I mean, there's quite a few parking spaces in there. If you look on the west side, there's 14 down there that kind of blend in with the sidewalk, because I don't know what they've put down the middle of it. But there's 14 spaces there where it says, "For both Staff & Event Parking." It looks like it's part of the sidewalk because of the way they hatched it, I guess, picking up two.

Mr. Feeney: They picked up two, so.

Mr. Haire: And there's on-street parking in this neighborhood.

Mr. Domini: I've counted about 50+, so I know there's not 50 classrooms in there. I'm okay with it. They meet the standard.

Mr. Feeney: So I guess, yeah, the only question that you had about that, the bus turnaround, we'd like to get that clarified. Yeah, well, are there any other questions on this? (No response.) I'll entertain a motion.

Mr. Brusk: I move that we approve major site plan application Item C-2, 7683-Z.

Mr. Long: I'll second.

Mr. Domini: With the addition of the bus turning radius drawing.

Mr. Brusk: With the addition of the bus turning radius drawing.

Mr. Long: You also added a tree, didn't you, Aaron, in the front?

Mr. Domini: Yeah.

(Mr. Domini called the roll. Mr. Feeney voted "yes." Mr. Haire voted "yes." Mr. White voted "yes." Mr. Long voted "yes." Mr. Brusk.)

4. MAJOR SITE PLAN REVIEW APPLICATION, 760 ROSE HILL ROAD, REYNOLDSBURG, OHIO; PRESENT ZONING, S1; PRESENT USE, ELEMENTARY SCHOOL(ROSE HILL); PROPOSED USE, ELEMENTARY SCHOOL; PRESENT OWNER, REYNOLDSBURG CITY SCHOOLS; CONTACT: HEDI SLAMA (MOODY-NOLAN INC. (7684-Z).

Mr. Slama: Also the school building is very similar to Herbert Mills. The existing building is getting renovated and we're adding two classrooms on the back of the original building which is the building on the east side. And we're also adding a 1,000 square – 1,100 square feet of office at the main entry. And on the front of the building we're showing a loop drop-off for buses and it is separate from the parent drop-off on the east side here where we're showing the parking. And for this particular school, they had probably originally – or currently they're short on parking, so we've tried to provide additional parking on the east side, on the east parent drop-off loop there. And we increased the parking – about 15 parking spaces.

Mr. Domini: Here's the before again and after. Again, most of the parking here, one addition down here which is kind of flush with the existing setback and then the addition here which is internal on the courtyard. I'll go back again.

Mr. Feeney: They're picking up quite a bit of parking.

Mr. Domini: They lost quite a bit in front but it kind of came down over here, plus 15 spaces.

Mr. Feeney: Oh, okay.

Mr. Domini: Again, my comments were again I think just the one standard that wasn't picked up for the trees every 50 feet. Mark, this is on the west side of the parking, all the way up there, all the way up to that buffer, that 10-foot buffer where you show the hedgerow every 50 feet. I put in one, two, three, four trees.

Mr. Larrimer: Okay.

Mr. Domini: So it kind of backs up to 810 – parcel 810 Rose Hill. There's an existing row of trees there, but we need to add another four to meet the standard, which is one every 50 feet.

Mr. Larrimer: That's not a problem.

Mr. Domini: I didn't have any other comments on this application.

Mr. Feeney: Something occurred to me. I was just kind of curious how the phasing of this is going to happen because when you mentioned that there's going to be temporary trailers. Are you going to do the parking lot first and 10-foot trailers, or how is the sequence of events going to happen?

Mr. Slama: We're planning – the construction duration is about 20 months and we're trying to have four phases and we're trying to keep the site work till the end, to the last few phases, phase three and phase four. And the plan right now is to place all the temporary classrooms on the east side of the building behind the playgrounds. And we're going to start with the – we're going to keep using the – a certain number of classrooms from the existing building during each phase.

Mr. Feeney: Two school seasons, 20 months, you said?

Mr. Slama: Right. Construction starts January 2010, that school year, to the summer of 2011.

Mr. Feeney: So the trailers are going to be on the east side of the school where the asphalt and work and things like that's going to be on the west. Is that right?

Mr. Slama: Yes.

Mr. Brusk: Are all three of these schools going to be done at the same time?

Mr. Slama: That's the plan.

Mr. Haire: Are you going to do some type of temporary – like a gravel parking or something for the contractors? Because if they already have an issue with parking here, I'm just wondering where the contractors are going to park.

Mr. Slama: Right. That could happen on the east side of the building, the east side.

Mr. Haire: The back of the building?

Mr. Feeney: Where the students—

Mr. Slama: Temporary parking, yes.

Mr. Haire: Or the west side where you're going to put in—

Mr. Larrimer: Oh, west side—

Mr. Feeney: And then the lighting, let's get down to that. I assume that that's—

Mr. Haire: You can the tree row there now is pretty thick.

Mr. Feeney: Yeah.

Mr. Haire: I don't think it's really going to affect anything.

Mr. Feeney: It looks like the property to the north – I know that row of trees is pretty thick, too. It looks like there's some more spillage over on that property, but it looks good. Does the Board have any other questions on – where we at, Rosehill?

Mr. Domini: Yes, Rosehill.

Mr. Feeney: If not, I'll entertain a motion.

Mr. Long: I'll make a motion that we move for approval of C-4, major site plan review application 760 Rose Hill, Item 7684-Z.

Mr. Brusk: I second.

Mr. Domini: With the addition of—

Mr. Long: -- with the additional four trees.

(Mr. Domini called the roll. Mr. White voted "yes." Mr. Long voted "yes." Mr. Brusk voted "yes." Mr. Feeney voted "yes." Mr. Haire voted "yes.")

Mr. Feeney: Well, thank you very much.

Mr. Larrimer: Thank you.

Mr. Feeney: And then you'll let us know about the bus turnaround just so we sleep at nights?

Mr. Larrimer: Yes, I can send that over tomorrow.

Mr. Feeney: Thank you.

D. OTHER BUSINESS - None

E. ADJOURNMENT

The meeting adjourned at 7:40 o'clock, p.m.

Patrick Feeney, Chair

Aaron Domini, Planning Administrator

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